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AMERICAN CASUALTY COMPANY OF READING, PENNSYLVANIA; NATIONAL UNION
FIRE INSURANCE COMPANY OF PITTSBURGH, PA; and CONTINENTAL CASUALTY
COMPANY.

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA – SAN FRANCISCO DIVISION

UNITED STATES of AMERICA for the Use and
Benefit of BERGER BROS., INC., a California
Corporation
Plaintiffs,

vs.

DICK/MORGANTI, a California joint venture;
DICK CORPORATION, a Pennsylvania
corporation; THE MORGANTI GROUP, INC., a
Connecticut corporation; AMERICAN
CASUALTY COMPANY OF READING,
PENNSYLVANIA, a Pennsylvania
corporation; NATIONAL UNION FIRE
INSURANCE COMPANY OF PITTSBURGH,
PA, a Pennsylvania corporation; CONTINENTAL
CASUALTY COMPANY, an Illinois corporation,

Defendants.

Case No.: C-07-5108-JSW

PROOF OF SERVICE

Action Filed: October 4, 2007
Trial Date: TBD

PROOF OF SERVICE

I am a resident of the State of California, over the age of eighteen years, and not a party to the within action. My business address is PECKAR & ABRAMSON, 455 Market Street, 21st Floor, San Francisco, California 94105. On January 7, 2008, I served the within documents:

**NOTICE OF SETTLEMENT AND JOINT REQUEST FOR CONTINUANCE OF CASE
MANAGEMENT CONFERENCE**

☒ by sending the document(s) listed above via electronic transmission (e-mail) to the parties set forth below:

Laurence Philip Lubka, Esq.
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Attorneys for Plaintiff, Berger Bros., Inc.

☐ by placing the document(s) listed above in a sealed envelope with postage thereon fully prepaid, in the United States mail at San Francisco, California at the address(es) set forth below.

I am readily familiar with the firm's practice of collection and processing correspondence for mailing and Fed Ex. Under these practices it would be deposited with U.S. Postal Service or Fed Ex on that same day with postage thereon fully prepaid in the ordinary course of business. I am aware that on motion of the party served, service is presumed invalid if postal cancellation date or postage meter date is more than one day after date of deposit for mailing in affidavit.

☒ (Federal) I declare that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on January 7, 2008, at San Francisco, California.

Marissa Y. Otellini

/s/ Marissa Y. Otellini

Printed Name

Signature Line